

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff

vs.

KEVIN A. YOUNGS

Defendant

CIVIL NO.

COMPLAINT

The United States of America, on behalf of its Agency, the Department of Education, by its specially appointed counsel, Colleen M. Hirst, KML Law Group, P.C., represents as follows:

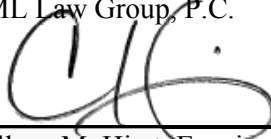
1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendant, KEVIN A. YOUNGS, is 161 Grand Street, New Milford, New Jersey 07646-2652.
3. Defendant owes Plaintiff the principal sum of \$85,720.92, plus interest of \$43,390.92, for a total of \$129,111.84. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

- (A) In the amount of \$129,111.84 with interest from 3/27/2018.
- (B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.
- (C) Interest to accrue at the rate of 6.5% to the date of judgment..
- (D) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.
- (E) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in it favor in this action from any debt accruing.

United States of America by and through
Its specially assigned counsel
KML Law Group, P.C.



Dated: 5/31/2018

Colleen M. Hirst, Esquire
216 Haddon Ave., Suite 406
Westmont, NJ 08108
Phone: 215-627-1322
chirst@kmlawgroup.com

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff

vs.

KEVIN A. YOUNGS

Defendant

CIVIL NO.

EXHIBITS

“A” CERTIFICATE OF INDEBTEDNESS

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS The United States of America</p> <p>(b) County of Residence of First Listed Plaintiff _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys <i>(Firm Name, Address, and Telephone Number)</i> KML Law Group, P.C. – Colleen M. Hirst, Esquire 216 Haddon Avenue, Ste 406, Westmont, NJ 08018 215-627-1322; CHirst@kmlawgroup.com</p>	<p>DEFENDANTS <u>KEVIN A. YOUNGS</u> <u>161 Grand Street</u> <u>New Milford, NJ 07646-2652</u></p> <p>County of Residence of First Listed Defendant Bergen _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i> _____</p>
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II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i>			III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i>							
X	1	U.S. Government Plaintiff	3	Federal Question <i>(U.S. Government Not a Party)</i>	Citizen of This State	PTF 1	DEF X 1	Incorporated <i>or</i> Principal Place of Business In This State	PTF 4	DEF 4
	2	U.S. Government Defendant	4	Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
					Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure	422 Appeal 28 USC 158	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury -	of Property 21 USC 881	423 Withdrawal	400 State Reapportionment
130 Miller Act	315 Airplane Product	Product Liability	690 Other	28 USC 157	410 Antitrust
140 Negotiable Instrument	Liability	367 Health Care/			430 Banks and Banking
150 Recovery of Overpayment	320 Assault, Libel &	Pharmaceutical		PROPERTY RIGHTS	450 Commerce
& Enforcement of Judgment	Slander	Personal Injury		820 Copyrights	460 Deportation
151 Medicare Act	330 Federal Employers'	Product Liability		830 Patent	470 Racketeer Influenced and
X 152 Recovery of Defaulted	Liability	368 Asbestos Personal		840 Trademark	Corrupt Organizations
Student Loans	340 Marine	Injury Product			480 Consumer Credit
(Excludes Veterans)	345 Marine Product	Liability	LABOR	SOCIAL SECURITY	490 Cable/Sat TV
153 Recovery of Overpayment	Liability	PERSONAL PROPERTY	710 Fair Labor Standards	861 HIA (1395ff)	850 Securities/Commodities/
of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	Act	862 Black Lung (923)	Exchange
160 Stockholders' Suits	355 Motor Vehicle	371 Truth in Lending	720 Labor/Management	863 DIWC/DIWW (405(g))	890 Other Statutory Actions
190 Other Contract	Product Liability	380 Other Personal	Relations	864 SSID Title XVI	891 Agricultural Acts
195 Contract Product Liability	360 Other Personal	Property Damage	740 Railway Labor Act	865 RSI (405(g))	893 Environmental Matters
196 Franchise	Injury	385 Property Damage	751 Family and Medical		895 Freedom of Information
	362 Personal Injury -	Product Liability	Leave Act		Act
	Medical Malpractice		790 Other Labor Litigation	FEDERAL TAX SUITS	896 Arbitration
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	791 Employee Retirement	870 Taxes (U.S. Plaintiff	899 Administrative Procedure
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:	Income Security Act	or Defendant)	Act/Review or Appeal of
220 Foreclosure	441 Voting	463 Alien Detainee		871 IRS—Third Party	Agency Decision
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate		26 USC 7609	950 Constitutionality of
240 Torts to Land	443 Housing/	Sentence			State Statutes
245 Tort Product Liability	Accommodations	530 General			
290 All Other Real Property	445 Amer. w/Disabilities	535 Death Penalty	IMMIGRATION		
	Employment	Other:	462 Naturalization Application		
	446 Amer. w/Disabilities	540 Mandamus & Other	465 Other Immigration		
	Other	550 Civil Rights	Actions		
	448 Education	555 Prison Condition			
		560 Civil Detainee -			
		Conditions of			
		Confinement			

V. ORIGIN (Place an "X" in One Box Only)					
1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from Another District (specify)	6 Multidistrict Litigation

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing <i>(Do not cite jurisdictional statutes unless diversity)</i> : 28 U.S.C. 1345
	Brief description of cause: Enforced Collections

VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$	CHECK YES only if demanded in complaint:	
			JURY DEMAND:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

VIII. RELATED CASE(S)
IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE 5/31/2018 SIGNATURE OF ATTORNEY OF RECORD
s/ Colleen M. Hirst, Esquire

U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Kevin A. Youngs
161 Grand St.
New Milford, NJ 07646-2652
Account No. XXXXX7696

I certify that U.S. Department of Education records show that the BORROWER named above is indebted to the United States in the amount stated below plus additional interest from 03/27/18.

On or about 07/22/04, the BORROWER executed a promissory note to secure a Direct Consolidation loan from the U.S. Department of Education. This loan was disbursed for \$30,550.62 and \$33,067.61 on 09/03/04 at 6.5% interest per annum. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685). The Department demanded payment according to the terms of the note, and the BORROWER defaulted on the obligation on 02/02/12. Pursuant to 34 C.F.R. § 685.202(b), a total of \$22,102.69 in unpaid interest was capitalized and added to the principal balance.

The Department has credited a total of \$2,029.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the BORROWER now owes the United States the following:

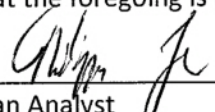
Principal: \$85,720.92
Interest: \$43,390.92

Total debt as of 03/27/18: \$129,111.84

Interest accrues on the principal shown here at the rate of \$15.25 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 5-3-18



Loan Analyst
Litigation Support Unit

Philippe Guillon
Loan Analyst

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant

)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: